

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OFFICE OF THE CHIEF ADMINISTRATIVE HEARING OFFICER

UNITED STATES OF AMERICA,)	
Complainant,)	
)	
v.)	8 U.S.C. 1324a Proceeding
)	Case Number 96A00042
)	
VOSTILE, INC.)	
A Missouri Corporation,)	
Respondent.)	

DECISION AND ORDER OF THE ADMINISTRATIVE LAW JUDGE

ADMINISTRATIVE LAW JUDGE: Marvin H. Morse

Appearances: Joseph R. Dierkes, General Attorney, for the
Immigration and Naturalization Service

Henri J. Watson, Attorney For Respondent

DISCUSSION AND DECISION

This proceeding was initiated before the Office of the Chief Administrative Hearing Officer by the filing of a Complaint Regarding Unlawful Employment by the Immigration and Naturalization Service (Complainant) against Vostile, Inc., charging failures to comply with the statutory verification requirements.

By a document in the form of a Settlement Agreement, pursuant to 28 CFR 68.14, which Settlement Agreement is incorporated herein by reference as if fully set out, the parties have tendered an agreed disposition which forms the basis of this Decision and Order.

FINDINGS OF FACT

Based on the Settlement Agreement filed herewith, the allegations contained in all Counts of the Amended Complaint, filed previously herein, are accepted as true.

CONCLUSIONS OF LAW

The parties having stipulated that an Order assessing fines shall be entered on all Counts of the Amended Complaint, filed previously herein, and having tendered a Settlement Agreement as reflected in this Decision and Order, it is concluded that the Settlement Agreement is fair and satisfactory, and there is no reason not to accept it, within the contemplation of 28 CFR 68.14.

On the basis of the Settlement Agreement, including the findings of fact above, it is concluded that the Respondent has violated 8 U.S.C. 1324a(a)(1)(B), Section 274A(a)(1)(B) of the Immigration and Nationality Act, in that Respondent has failed to comply with the verification requirements of that section of law.

ACCORDINGLY, IT IS HEREBY ORDERED:

1. That the Respondent pay a total civil money penalty in the sum of TWELVE THOUSAND DOLLARS (\$12,000.00) for the violations set out in the Amended Complaint.
2. That this Decision and Order shall have the same force and effect as a Decision and Order made after a full administrative hearing.
3. That as provided in 28 CFR Part 68, this Decision and Order shall become the Order of the Attorney General unless within thirty (30) days from this date the Chief Administrative Hearing Officer shall have modified or vacated it.

SO ORDERED:

Dated this 10th day of January, 1997.

Marvin H. Morse
Administrative Law Judge

Approved as to form:

United States of America
Immigration and Naturalization
Service

Vostile, Inc.
A Missouri Corporation

By:

By:

Joseph R. Dierkes
General Attorney

Henri J. Watson
Attorney For Respondent